

LEGISLATIVE BILL 805

Approved by the Governor April 10, 2012

Introduced by Lautenbaugh, 18.

FOR AN ACT relating to the State Fire Marshal; to amend sections 28-1239.01 and 28-1246, Revised Statutes Cumulative Supplement, 2010; to remove the social security number requirement from certain fireworks permit and license applications; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 28-1239.01, Revised Statutes Cumulative Supplement, 2010, is amended to read:

28-1239.01 (1) No person shall conduct a public exhibition or display of display fireworks without first procuring a display permit from the State Fire Marshal. ~~If the applicant is an individual, the application for a display permit shall include the applicant's social security number.~~ Such application for a display permit shall be accompanied by a fee of ten dollars to be deposited in the State Fire Marshal Cash Fund.

(2) No display fireworks shall be sold or delivered by a licensed distributor to any person who is not in possession of an approved display permit. Sales of display fireworks to persons without an approved display permit shall be subject to sections 28-1213 to 28-1239.

Sec. 2. Section 28-1246, Revised Statutes Cumulative Supplement, 2010, is amended to read:

28-1246 (1) It shall be unlawful for any person to sell, hold for sale, or offer for sale as a distributor, jobber, or retailer any fireworks in this state unless such person has first obtained a license as a distributor, jobber, or retailer. Application for each such license shall be made to the State Fire Marshal on forms prescribed by him or her. ~~If the applicant is an individual, each application shall include the applicant's social security number.~~ Each application shall be accompanied by the required fee, which shall be five hundred dollars for a distributor's license, two hundred dollars for a jobber's license, and twenty-five dollars for a retailer's license. Each application for a retailer's license shall be received by the State Fire Marshal at least ten business days prior to the sales period, as set forth in section 28-1249, in which the retailer wishes to sell consumer fireworks. A retailer's license shall be good only for the specific sales period listed on the application and within the calendar year in which issued. The retailer's license shall at all times be displayed at the place of business of the holder thereof.

(2) The funds received pursuant to this section shall be remitted to the State Treasurer for credit to the State Fire Marshal Cash Fund.

Sec. 3. Original sections 28-1239.01 and 28-1246, Revised Statutes Cumulative Supplement, 2010, are repealed.